

FURTHER INFORMATION CONTINUED FROM PCT/ISA/ 210

Continuation of Box I.1

Although claims 5 to 9 are directed to a method of treatment of the human/animal body, the search has been carried out and based on the alleged effects of the compound/composition.

Continuation of Box I.1

Rule 39.1(iv) PCT - Method for treatment of the human or animal body by therapy

Continuation of Box I.2

The subject-matter of claims 1, 5, 10 and 14 is defined by means of the functional features:

"ATP-competitive inhibitor of c-abl kinase activity"

Because of the character of the functional feature, it cannot be guaranteed that the performed search is complete. It cannot be excluded that compounds fulfilling the requirements of the functional feature have not been identified as doing so in the prior art. If such compounds have not been identified in the application either, they have not been covered by the search.

The search has been carried out based on the functional feature per se as well as the examples given in the application.

Furthermore, the expression "two or more other antineoplastic agents" in present claims 1, 5, 10, 14 relate to an extremely large number of possible compounds and therefore an enormous number of possible combinations. In fact, the claims contain so many possible permutations that a lack of clarity and conciseness within the meaning of Article 6 PCT arises to such an extent as to render a meaningful search of the claims impossible. Consequently, the search has been carried out for those parts of the application which do appear to be clear, concise and supported, namely the antineoplastic agents of claim 4, 8 or 13.

The applicant's attention is drawn to the fact that claims, or parts of claims, relating to inventions in respect of which no international search report has been established need not be the subject of an international preliminary examination (Rule 66.1(e) PCT). The applicant is advised that the EPO policy when acting as an International Preliminary Examining Authority is normally not to carry out a preliminary examination on matter which has not been searched. This is the case irrespective of whether or not the claims are amended following receipt of the search report or during any Chapter II procedure.

INTERNATIONAL SEARCH REPORT

International Application No

PCT/EP 03/02029

A. CLASSIFICATION OF SUBJECT MATTER

IPC 7 A61K45/06 A61K31/506 A61K31/704 A61K31/7076 A61K31/7068
A61P35/00 A61P35/02 //(A61K31/7068, 31:7076, 31:506),
(A61K31/7068, 31:704, 31:506)

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

IPC 7 A61K A61P

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the International search (name of data base and, where practical, search terms used)

EPO-Internal, WPI Data, PAJ, BIOSIS, EMBASE, CHEM ABS Data, CANCERLIT

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	<p>OTTAVIANI EMANUELA ET AL: "Simultaneous in vitro exposure to Glivec(R) (formerly STI571), Apo2L/TRAIL and Interferon-alpha, with or without prior Ara-C treatment, Apo2L/TRAIL-induced cytotoxicity and apoptosis in BCR/ABL+ leukemic blasts." BLOOD, vol. 98, no. 11 Part 2, 16 November 2001 (2001-11-16), pages 265b-266b, XP009010720 43rd Annual Meeting of the American Society of Hematology, Part 2;Orlando, Florida, USA; December 07-11, 2001, November 16, 2001 ISSN: 0006-4971 abstract</p> <p style="text-align: center;">--- -/-</p>	1,2,5,6, 9-11,14

☒ Further documents are listed in the continuation of box C.

☐ Patent family members are listed in annex.

* Special categories of cited documents:

A document defining the general state of the art which is not considered to be of particular relevance

E earlier document but published on or after the international filing date

L document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)

O document referring to an oral disclosure, use, exhibition or other means

P document published prior to the international filing date but later than the priority date claimed

T later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention

X document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone

Y document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.

& document member of the same patent family

Date of the actual completion of the international search

22 May 2003

Date of mailing of the international search report

13/06/2003

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INTERNATIONAL SEARCH REPORT

International Application No

PCT/EP 03/02029

C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	MARLEY S B ET AL: "Effects of combinations of therapeutic agents on the proliferation of progenitor cells in chronic myeloid leukaemia" BRITISH JOURNAL OF HAEMATOLOGY 2002 UNITED KINGDOM, vol. 116, no. 1, 2002, pages 162-165, XP002242123 ISSN: 0007-1048 abstract	1,2,5,6, 9-11,14
X	--- "Chronic Myelogenous Leukemia and Investigational Treatment Strategies" LEUKEMIA INSIGHTS, 'Online! vol. 6, no. 3, 2001, pages 1-8, XP002242124 The University of Texas, MD Anderson Cancer Center Retrieved from the Internet: <URL:www.mdanderson.org> 'retrieved on 2003-05-19! page 3, column 2, paragraph 2 page 7	1-14
A	--- TOPALY J ET AL: "Synergistic activity of STI571 with chemotherapeutic drugs and irradiation." BLOOD, vol. 96, no. 11 Part 1, 16 November 2000 (2000-11-16), page 736a XP009010656 42nd Annual Meeting of the American Society of Hematology; San Francisco, California, USA; December 01-05, 2000 ISSN: 0006-4971 abstract	1-14
A	--- DRUKER BRIAN J ET AL: "A phase I study of Gleevec (imatinib mesylate) administered concomitantly with cytosine arabinoside (Ara-C) in patients with Philadelphia positive chronic myeloid leukemia (CML)." BLOOD, vol. 98, no. 11 Part 1, 16 November 2001 (2001-11-16), pages 845A-846A, XP009010657 43rd Annual Meeting of the American Society of Hematology, Part 1; Orlando, Florida, USA; December 07-11, 2001, November 16, 2001 ISSN: 0006-4971 abstract	1-14
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INTERNATIONAL SEARCH REPORT

International Application No.

PCT/EP 03/02029

C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
A	<p>RUCHATZ HOLGER ET AL: "Co-administration of STI571 and idarubicin increases the sensitivity to cytotoxic treatment in vitro and in vivo."</p> <p>BLOOD, vol. 98, no. 11 Part 1, 16 November 2001 (2001-11-16), pages 101a-102a, XP009010654 43rd Annual Meeting of the American Society of Hematology, Part 1; Orlando, Florida, USA; December 07-11, 2001, November 16, 2001 ISSN: 0006-4971 abstract</p> <p style="text-align: center;">---</p>	1-14
A	<p>KEATING M J: "LEUKEMIA: A MODEL FOR DRUG DEVELOPMENT"</p> <p>CLINICAL CANCER RESEARCH, THE AMERICAN ASSOCIATION FOR CANCER RESEARCH, US, vol. 3, no. 12, PART 2, 1 December 1997 (1997-12-01), pages 2598-2604, XP002071346 ISSN: 1078-0432 abstract</p> <p style="text-align: center;">---</p>	1-14
A	<p>BERMAN E ET AL: "RESULTS OF A RANDOMIZED TRIAL COMPARING IDARUBICIN AND CYTOSINE ARABINOSIDE WITH DAUNORUBICIN AND CYTOSINE ARABINOSIDE IN ADULT PATIENTS WITH NEWLY DIAGNOSED ACUTE MYELOGENOUS LEUKEMIA"</p> <p>BLOOD, vol. 77, no. 8, 1991, pages 1666-1674, XP009010665 ISSN: 0006-4971 abstract</p> <p style="text-align: center;">---</p>	1-14
P, X	<p>ROSEE LA P ET AL: "INSIGHTS FROM PRE-CLINICAL STUDIES FOR NEW COMBINATION TREATMENT REGIMENS WITH THE BCR-ABL KINASE INHIBITOR IMATINIB MESYLATE (GLEEVEC/GLIVEC) IN CHRONIC MYELOGENOUS LEUKEMIA: A TRANSLATIONAL PERSPECTIVE"</p> <p>LEUKEMIA, MACMILLAN PRESS LTD, US, vol. 16, no. 7, 2002, pages 1213-1219, XP009005469 ISSN: 0887-6924 table 3</p> <p style="text-align: center;">-----</p>	1-14

INTERNATIONAL SEARCH REPORT

International application No.
PCT/EP 03/02029

Box I Observations where certain claims were found unsearchable (Continuation of item 1 of first sheet)

This International Search Report has not been established in respect of certain claims under Article 17(2)(a) for the following reasons:

1. ☒ Claims Nos.: —
because they relate to subject matter not required to be searched by this Authority, namely:
see FURTHER INFORMATION sheet PCT/ISA/210
2. ☒ Claims Nos.: —
because they relate to parts of the International Application that do not comply with the prescribed requirements to such an extent that no meaningful International Search can be carried out, specifically:
see FURTHER INFORMATION sheet PCT/ISA/210
3. ☐ Claims Nos.:
because they are dependent claims and are not drafted in accordance with the second and third sentences of Rule 6.4(a).

Box II Observations where unity of invention is lacking (Continuation of item 2 of first sheet)

This International Searching Authority found multiple inventions in this International application, as follows:

1. ☐ As all required additional search fees were timely paid by the applicant, this International Search Report covers all searchable claims.
2. ☐ As all searchable claims could be searched without effort justifying an additional fee, this Authority did not invite payment of any additional fee.
3. ☐ As only some of the required additional search fees were timely paid by the applicant, this International Search Report covers only those claims for which fees were paid, specifically claims Nos.:
4. ☐ No required additional search fees were timely paid by the applicant. Consequently, this International Search Report is restricted to the invention first mentioned in the claims; it is covered by claims Nos.:

Remark on Protest

- ☐ The additional search fees were accompanied by the applicant's protest.
- ☐ No protest accompanied the payment of additional search fees.